



5. We believe that Section 316(a)(1) of the Communications Act of 1934, as amended, provides the appropriate vehicle for resolving this matter.<sup>6</sup> Section 316(a) permits the Commission to modify a station license if the action will promote the public interest, convenience, and necessity.<sup>7</sup> We believe that a modification of the license for amateur station KD0YLM to replace General Class operator privileges with Technician Class operator privileges is appropriate.

6. In accordance with Section 1.87(a) of the Commission's Rules,<sup>8</sup> we will not issue a modification order until Cullen has received notice of our proposed action and has had an opportunity to file a protest. To protest the modification, Cullen must, within thirty days of the release date of this *Order Proposing Modification*, submit a written statement with sufficient evidence to show that the modification would not be in the public interest. The protest must be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., Room TW-A325, Washington, D.C. 20554.<sup>9</sup> If no protest is filed, Cullen will have waived his right to protest the modification and will be deemed to have consented to the modification.

7. *Conclusion.* For the reasons stated above, we conclude that the grant of General Class amateur radio operator privileges was improper. Accordingly, we propose to modify the amateur service operator license for amateur station KD0YLM by replacing General Class operator privileges with Technician Class operator privileges.

8. ACCORDINGLY, IT IS PROPOSED, pursuant to Sections 4(i) and 316(a) of the Communications Act of 1934, 47 U.S.C. §§ 154(i), 316, and Section 1.87 of the Commission's Rules, 47 C.F.R. § 1.87, that the license of Brent D. Cullen for amateur service Station KD0YLM BE MODIFIED by replacing General Class operator privileges with Technician Class operator privileges.

9. IT IS FURTHER ORDERED that this *Order Proposing Modification* shall be sent by certified mail, return receipt requested, to Mr. Brent D. Cullen, 1022 Spring Lake Rd., Cloquet, MN 55720.

10. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau

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<sup>6</sup> 47 U.S.C. § 316(a)(1).

<sup>7</sup> *Id.*

<sup>8</sup> 47 C.F.R. § 1.87(a).

<sup>9</sup> The address for FCC locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail, and for hand-delivered or messenger-delivered documents. Commercial overnight mail (other than United States Postal Service, Express Mail, and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743.